

OCT 01 2004

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My mailing address and citizenship are as stated below next to my name.

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **RESORBABLE RADIOPAQUE MARKERS AND RELATED MEDICAL IMPLANTS**, the specification of which

(check one)

is attached hereto
 was filed on January 20, 2004
 as US Application Serial Number 10/762,204

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR § 1.56. I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<hr/> (Number)	<hr/> (Country)	<hr/> (Day/Month/Year Filed)	<input type="checkbox"/>
<hr/> (Number)	<hr/> (Country)	<hr/> (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>60/441,040</u> (Application Number)	<u>January 17, 2003</u> (Filing Date)
<hr/> (Application Number)	<hr/> (Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<hr/> (Application Number)	<hr/> (Filing Date)	<hr/> (Status -patented, pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Donald E. Stout, Reg. No. 34,493; Frank J. Uxa, Reg. No. 25,612; Robert D. Buvan, Reg. No. 32,460;
Kenton R. Mullins, Reg. No 36,331; Jo Anne M. Ybaben, Reg. No. 42,243; Linda Allyson Fox, Reg. No. 38,883;
Kyle D. Yesland, Reg. No. 45,526; Greg S. Hollrigel, Reg. No. 45,374; Louise S. Helm, Reg. No. 32,337.

Address all telephone calls to
Address all correspondence to

Kenton R. Mullins at telephone number (949) 450-1750; facsimile number (949) 450-1764
Kenton R. Mullins
Stout, Uxa, Buyan & Mullins, LLP
4 Venture, Suite 300
Irvine, CA 92618

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature _____ Date _____

Kevin A. Thomas

Citizenship

U.S.A.

Mailing Address

14617 Carmel Ridge Road, San Diego CA 92128

Inventor's signature



Date

5-19-04

Citizenship

U.S.A.

Post Office Address

1540 West 44th Avenue, Unit C, Golden, CO 80403

Inventor's signature _____ Date _____

James E. Stephan

Citizenship

U.S.A.

Mailing Address

1540 West 44th Avenue, Unit C, Golden, CO 80403

Inventor's signature _____ Date _____

Kenneth K. Kleinhenz

Citizenship

U.S.A.

Mailing Address

12178 Cimria Way, Lakeside, CA 92040

(rev.3/95)

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Date 3/12/04

Kevin A. Thomas

Citizenship

U.S.A.

Mailing Address

14617 Carmel Ridge Road, San Diego CA 92128

Inventor's signature



Date _____

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Citizenship

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Mailing Address

1540 West 44th Avenue, Unit C, Golden, CO 80403

Inventor's signature



Date _____

Kenneth K. Kleinhenz

Citizenship

U.S.A.

Mailing Address

12178 Cimria Way, Lakeside, CA 92040

04-07-04

11:44

From-MacroPore

858-458-0894

T-071 P.009/010 F-682

MA9665P

Address all telephone calls to
Address all correspondence to

Kenton R. Mullins at telephone number (949) 450-1750; facsimile number (949) 450-1784
Kenton R. Mullins
Stout, Uxa, Buyan & Mullins, LLP
4 Venture, Suite 300
Irvine, CA 92618

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James E. Stephan

Citizenship

U.S.A.

Mailing Address

1540 West 44th Avenue, Unit C, Golden, CO 80403

Inventor's signature



Date 3-11-04

Kenneth K. Kleinhenz

Citizenship

U.S.A.

Mailing Address

12178 Cimria Way, Lakeside, CA 92040